

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Tamara Pryor, As Administrator of the
Estate of Aaron Jenkins

(b) County of Residence of First Listed Plaintiff Philadelphia
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Mu'min Islam, Esquire, MFI Law Group, PLLC
7433 Limekiln Pike, Ste. 210, Philadelphia, PA 19138; (215) 735-2357

DEFENDANTS

City of Philadelphia and Philadelphia Airport, a/k/a Philadelphia International Airport (improperly sued as a defendant)
County of Residence of First Listed Defendant Philadelphia

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)
Michele E. Turner, Esquire, Bennett, Bricklin & Saltzburg
LLC, Centre Square, West Tower, 1500 Market Street, 32nd Fl.
Philadelphia, PA 19102; (215) 665-3344

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

<input type="checkbox"/> 1 U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)
<input type="checkbox"/> 2 U.S. Government Defendant	<input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF	PTF	DEF
Citizen of This State	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4 <input checked="" type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions](#).

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	PERSONAL INJURY	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Product Liability		<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability		<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine			<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 345 Marine Product Liability			<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 370 Other Fraud		<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle	<input type="checkbox"/> 371 Truth in Lending		<input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692)
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage		<input type="checkbox"/> 485 Telephone Consumer Protection Act
<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 385 Property Damage Product Liability		
<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice			
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS		
<input type="checkbox"/> 210 Land Condemnation	<input checked="" type="checkbox"/> 440 Other Civil Rights	Habeas Corpus:	<input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 463 Alien Detainee		<input type="checkbox"/> 850 Securities/Commodities/ Exchange
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 510 Motions to Vacate Sentence		<input type="checkbox"/> 890 Other Statutory Actions
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 530 General		<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 535 Death Penalty		<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	<input type="checkbox"/> 540 Mandamus & Other		<input type="checkbox"/> 895 Freedom of Information Act
	<input type="checkbox"/> 448 Education	<input type="checkbox"/> 550 Civil Rights		<input type="checkbox"/> 896 Arbitration
		<input type="checkbox"/> 555 Prison Condition		<input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision
		<input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement		<input type="checkbox"/> 950 Constitutionality of State Statutes
IMMIGRATION				
		<input type="checkbox"/> 462 Naturalization Application		
		<input type="checkbox"/> 465 Other Immigration Actions		

V. ORIGIN (Place an "X" in One Box Only)

<input type="checkbox"/> 1 Original Proceeding	<input checked="" type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from Another District (specify)	<input type="checkbox"/> 6 Multidistrict Litigation - Transfer	<input type="checkbox"/> 8 Multidistrict Litigation - Direct File
------------------------------------------------	----------------------------------------------------------------	----------------------------------------------------------	---------------------------------------------------	------------------------------------------------------------------------	----------------------------------------------------------------	-------------------------------------------------------------------

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

28 U.S.C. §§ 1331

Brief description of cause:

VI. CAUSE OF ACTION CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. **DEMAND \$** CHECK YES only if demanded in complaint: **JURY DEMAND:** Yes No

VII. REQUESTED IN COMPLAINT: **IF ANY** *(See instructions):* **JUDGE** **DOCKET NUMBER**

DATE 11/05/2020 SIGNATURE OF ATTORNEY OF RECORD
/s Michele E. Turner

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFF JUDGE MAG. JUDGE

DESIGNATION FORM

(to be used by counsel or pro se plaintiff to indicate the category of the case for the purpose of assignment to the appropriate calendar)

Address of Plaintiff: _____

Address of Defendant: _____

Place of Accident, Incident or Transaction: _____

RELATED CASE, IF ANY:

Case Number: _____ Judge: _____ Date Terminated: _____

Civil cases are deemed related when **Yes** is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action of this court?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

I certify that, to my knowledge, the within case is / is not related to any case now pending or within one year previously terminated action in this court except as noted above.

/s Michele E. Turner

DATE: _____

Attorney-at-Law / Pro Se Plaintiff

Attorney I.D. # (if applicable)

CIVIL: (Place a ✓ in one category only)

A. Federal Question Cases:

- 1. Indemnity Contract, Marine Contract, and All Other Contracts
- 2. FELA
- 3. Jones Act-Personal Injury
- 4. Antitrust
- 5. Patent
- 6. Labor-Management Relations
- 7. Civil Rights
- 8. Habeas Corpus
- 9. Securities Act(s) Cases
- 10. Social Security Review Cases
- 11. All other Federal Question Cases
(Please specify): _____

B. Diversity Jurisdiction Cases:

- 1. Insurance Contract and Other Contracts
- 2. Airplane Personal Injury
- 3. Assault, Defamation
- 4. Marine Personal Injury
- 5. Motor Vehicle Personal Injury
- 6. Other Personal Injury (Please specify): _____
- 7. Products Liability
- 8. Products Liability – Asbestos
- 9. All other Diversity Cases
(Please specify): _____

ARBITRATION CERTIFICATION

(The effect of this certification is to remove the case from eligibility for arbitration.)

I, _____, counsel of record or pro se plaintiff, do hereby certify:

- Pursuant to Local Civil Rule 53.2, § 3(c) (2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs:
- Relief other than monetary damages is sought.

/s Michele E. Turner

Attorney-at-Law / Pro Se Plaintiff

Attorney I.D. # (if applicable)

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

TAMARA PRYOR, As Administrator of the ESTATE OF AARON JENKINS	:	CIVIL ACTION
	:	JURY TRIAL DEMANDED
V.	:	
CITY OF PHILADELPHIA and PHILADELPHIA AIRPORT, a/k/a Philadelphia International Airport et al	:	NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (x)

11/05/2020	Michele E. Turner	City of Philadelphia City of Philadelphia and Philadelphia International Airport (improperly sued as a defendant)
Date	Attorney-at-law	Attorney for Defendants
215.665. 3344	215. 561.6661	mturner@bbs-law.com
Telephone	FAX Number	E-Mail Address

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TAMARA PRYOR, As Administrator of the	:	
ESTATE OF AARON JENKINS	:	
	:	CIVIL ACTION NO.
V.	:	
	:	
CITY OF PHILADELPHIA and	:	JURY TRIAL DEMANDED
PHILADELPHIA AIRPORT,	:	
a/k/a Philadelphia International Airport	:	
And	:	
WORLDWIDE FLIGHT SERVICES, INC.	:	
And	:	
FRONTIER AIRLINES	:	

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that Defendants, City of Philadelphia and Philadelphia International Airport (improperly sued as a defendant) (hereafter "City" or "Removing Defendants"), hereby remove the above-captioned action from the Court of Common Pleas of Philadelphia County, Pennsylvania, to the United States District Court for the Eastern District of Pennsylvania, and in support thereof state as follows:

1. This is a civil action filed and now pending in the Court of Common Pleas of Philadelphia County, Pennsylvania, Docket No. 200500110.
2. On or about May 3, 2020, Plaintiff commenced this Civil Action through the filing of a Writ of Summons in the Philadelphia County Court of Common Pleas. See Exhibit A, Writ of Summons.
3. On October 8, 2020, Plaintiff filed her Complaint. See Exhibit B, Complaint.
4. In her Complaint, Plaintiff seeks to recover damages for the death of Plaintiff's Decedent following a physical conflict with a coworker.

5. Count I of Plaintiff's Complaint seeks recovery against all defendants for violations of Plaintiff's Decedent's rights pursuant to the 14th Amendment, Section 1, of the United States Constitution. See Exhibit B at Count I.

6. Count II of Plaintiff's Complaint seeks recovery against all defendants for violations of the Civil Rights Act, 42 U.S.C. §1983. See Exhibit B at Count II.

7. The Philadelphia County Docket, as of the date of filing of this Notice of Removal, does not reflect service of the Writ of Summons or the Complaint on any defendant. See Exhibit C, Philadelphia Court of Common Pleas Docket.

8. Defendants, City of Philadelphia and Philadelphia International Airport (improperly sued as a defendant), hereby seek to remove this matter to the United States District Court for the Eastern District of Pennsylvania pursuant to 28 U.S.C.A. §1441(a) because this Court has original "Federal Question" jurisdiction over Plaintiff's claims for violations of Plaintiff's Decedent's rights under the Fourteenth Amendment and 28 U.S.C. §1983, as these claims arise under the Constitution and laws of the United States. 28 U.S.C. §1331.

9. Defendant, Frontier Airlines, upon information and belief, has not been served and no attorneys have entered an appearance on its behalf in this matter. 28 U.S.C. §1441(b)(2)(A) provides that "When a civil action is removed solely under section 1441(a), all defendants who have been properly joined and served must join in or consent to the removal of the action." See also *Balazik v. County of Dauphin*, 44 F.3d 209, 213 n.4 (3d Cir. 1995) (Finding that consent of defendants that have not been served at the time of removal not required). Because Frontier Airlines has not been "properly joined and served," its consent to this removal is not required.

10. Defendant, Worldwide Flight Services, Inc., having retained attorneys who have entered an appearance in this matter on its behalf, has received notice of the filing of Plaintiff's Complaint and, although it has not yet been served and its consent is therefore not required, nevertheless consents to the removal of this action. See 28 U.S.C. §1441(b)(2)(A); see also *Balazik, supra*.

11. This removal is timely because Removing Defendants received notice of the filing of Plaintiff's Complaint on October 8, 2020, and this Notice of Removal is being filed within 30 (thirty) days thereof. 28 U.S.C. §1446(b)(1).

12. Simultaneous with the filing of this Notice of Removal, written notice has been given to all parties.

13. Removing Defendants are also filing a copy of this Notice of Removal and all attachments thereto with the Prothonotary of the Court of Common Pleas of Philadelphia County.

14. The averments made herein are true and correct with respect to the date and time upon which suit was commenced and the date upon which this notice is being filed.

WHEREFORE, Defendants, City of Philadelphia and Philadelphia International Airport (improperly sued as defendant), hereby remove this matter to this Honorable Court pursuant to the laws of the United States in such cases made and provided.

BENNETT, BRICKLIN & SALTZBURG LLC

/s/ *Michele E. Turner*

By:

Michele E. Turner, Esquire
Centre Square, West Tower
1500 Market Street, 32nd Floor
Philadelphia, PA 19102
(215) 665-3386
E-mail: mturner@bbs-law.com

*Attorneys for Defendants,
City of Philadelphia and
Philadelphia International Airport
(improperly sued as a defendant)*

Date: 11/5/2020

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TAMARA PRYOR, As Administrator of the	:	
ESTATE OF AARON JENKINS	:	
	:	CIVIL ACTION NO.
V.	:	
	:	
CITY OF PHILADELPHIA and	:	JURY TRIAL DEMANDED
PHILADELPHIA AIRPORT,	:	
a/k/a Philadelphia International Airport	:	
And	:	
WORLDWIDE FLIGHT SERVICES, INC.	:	
And	:	
FRONTIER AIRLINES	:	

DEMAND FOR JURY TRIAL

Defendants, City of Philadelphia and Philadelphia International Airport (improperly sued as a defendant), hereby demand a twelve (12) member jury trial.

BENNETT, BRICKLIN & SALTZBURG LLC

/s/ Michele E. Turner

By:

*Michele E. Turner
Attorneys for Defendants,
City of Philadelphia and
Philadelphia International Airport
(improperly sued as a defendant)*

Date:11/05/2020

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TAMARA PRYOR, As Administrator of the	:	
ESTATE OF AARON JENKINS	:	
	:	CIVIL ACTION NO.
V.	:	
	:	
CITY OF PHILADELPHIA and	:	JURY TRIAL DEMANDED
PHILADELPHIA AIRPORT,	:	
a/k/a Philadelphia International Airport	:	
And	:	
WORLDWIDE FLIGHT SERVICES, INC.	:	
And	:	
FRONTIER AIRLINES	:	

NOTICE TO PLAINTIFF

To: Mu'min Islam, Esquire
MFI Law Group, PLLC
7433 Limekiln Pike, Ste. 210
Philadelphia, PA, 19138
Attorneys for Plaintiff

PLEASE TAKE NOTICE that Defendants, City of Philadelphia and Philadelphia International Airport (improperly sued as a defendant), have filed a Notice of Removal in the United States District Court for the Eastern District of Pennsylvania, removing to that Court a civil action previously pending in the Court of Common Pleas of Philadelphia County, Pennsylvania, Case No. 200500110.

PLEASE TAKE FURTHER NOTICE that a certified copy of the Notice of Removal will be filed with the Prothonotary of the Court of Common Pleas of Philadelphia County, Pennsylvania.

BENNETT, BRICKLIN & SALTZBURG LLC

/s/ *Michele E. Turner*
By: _____
Michele E. Turner
Attorneys for Defendants
City of Philadelphia and
Philadelphia International Airport
(improperly sued as a defendant)

Date:11/05/2020

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TAMARA PRYOR, As Administrator of the	:	
ESTATE OF AARON JENKINS	:	
	:	CIVIL ACTION NO.
v.	:	
	:	
CITY OF PHILADELPHIA and	:	JURY TRIAL DEMANDED
PHILADELPHIA AIRPORT,	:	
a/k/a Philadelphia International Airport	:	
And	:	
WORLDWIDE FLIGHT SERVICES, INC.	:	
And	:	
FRONTIER AIRLINES	:	

PROOF OF FILING

Commonwealth of Pennsylvania :

County of Philadelphia :

Michele E. Turner, Esquire, being duly sworn according to law, deposes and says that she is a partner in the law firm of Bennett, Bricklin & Saltzburg LLC, attorneys for defendants, City of Philadelphia and Philadelphia International Airport (improperly sued as a defendant).

That she did direct the filing with the Prothonotary of the Court of Common Pleas of Philadelphia County a copy of the Notice of Removal, attached hereto, said filing to be made on this date.

BENNETT, BRICKLIN & SALTZBURG LLC

/s/ Michele E. Turner

By: _____

Michele E. Turner
Attorneys for Defendants
City of Philadelphia and
Philadelphia International Airport
(improperly sued as a defendant)

Dated:11/05/2020

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TAMARA PRYOR, As Administrator of the	:	
ESTATE OF AARON JENKINS	:	
	:	CIVIL ACTION NO.
v.	:	
	:	
CITY OF PHILADELPHIA and	:	JURY TRIAL DEMANDED
PHILADELPHIA AIRPORT,	:	
a/k/a Philadelphia International Airport	:	
And	:	
WORLDWIDE FLIGHT SERVICES, INC.	:	
And	:	
FRONTIER AIRLINES	:	

PROOF OF SERVICE

Commonwealth of Pennsylvania :

County of Philadelphia :

Michele E. Turner, Esquire, being duly sworn according to law, deposes and says that she is a partner of the law firm of Bennett, Bricklin & Saltzburg LLC, and that she did serve on this date the aforementioned Notice as set forth below:

Mu'min Islam, Esquire
MFI Law Group, PLLC
7433 Limekiln Pike, Ste. 210
Philadelphia, PA, 19138
Attorneys for Plaintiff
Via Email

William J. Taylor, Jr., Esquire
Kristi A. Buchholz, Esquire
Two Commerce Square
2001 Market Street – Suite 3100
Philadelphia, PA 19103
Attorneys for Defendant,
Worldwide Flight Services, Inc.
Via Email

Frontier Airlines
4545 Airport Way
Denver, CO 80239
Defendant
Via Regular Mail

BENNETT, BRICKLIN & SALTZBURG LLC

/s/ Michele E. Turner

By: _____

Michele E. Turner
Attorneys for Defendants
City of Philadelphia and
Philadelphia International Airport
(improperly sued as a defendant)

Dated: 11/05/2020

EXHIBIT A

Estate of Aaron Jenkins
1370 Anchor Street
Philadelphia, PA 19125
Plaintiff,

v.
CITY OF PHILADELPHIA
1515 Arch Street, 14th Floor
Philadelphia, PA 19102
and

PHILADELPHIA AIRPORT
a/k/a Philadelphia International Airport
800 Essington Avenue
Philadelphia, PA 19153
and

Worldwide Flight Services, Inc.
Room361 – B151, E. Hangar Road
Cargo Area A, JFK International Airport
Jamaica, NY 11430
and

Frontier Airlines
4545 Airport Way
Denver, CO 80239
Defendants _____ :

IN THE COURT OF COMMON PLEAS
OF PHILADELPHIA COUNTY
: : :
*Filed and Attested by the
Office of Judicial Records
09 MAY 2020 11:33 pm
A. SILIGRINI*

CIVIL ACTION -LAW

MAY TERM 2020

PRAECIPE FOR ISSUANCE OF WRIT OF SUMMONS

TO THE PROTHONOTARY:

Please issue a Summons in Civil Action in the above case.

MFI LAW GROUP, PLLC

By: /s/Mu'min F. Islam
MFI LAW GROUP, PLLC
7433 Limekiln Pike, Ste. 210
Philadelphia, PA 19138
mislam@mfilawgroup.com
(215) 735 – 2357 (o)
(215) 735 – 2358 (f)

Commonwealth of Pennsylvania

COUNTY OF PHILADELPHIA

Estate Estate of Aaron Jenkins
1370 Anchor Street
Philadelphia, PA 19125
of Aaron Jenkins

Plaintiff

CITY OF PHILADELPHIA
1515 Arch Street, 14th Floor
Philadelphia, PA 19102
and
PHILADELPHIA AIRPORT
a/k/a Philadelphia International Airport
800 Essington Avenue
Philadelphia, PA 19153

vs.

THE COURT OF COMMON PLEASE
PHILADELPHIA COUNTY

May _____ Term, 20²⁰

No. _____

Worldwide Flight Services, Inc.
Room361 – B151, E. Hangar Road
Cargo Area A, JFK International Airport
Jamaica, NY 11430
Frontier Airlines
4545 Airport Way
Denver, CO 80239

Defendants

To

City of Philadelphia
1515 Arch Street, 14th Floor
Philadelphia, PA 19102

PHILADELPHIA AIRPORT
a/k/a Philadelphia International Airport
800 Essington
Avenue
Philadelphia, PA 19153

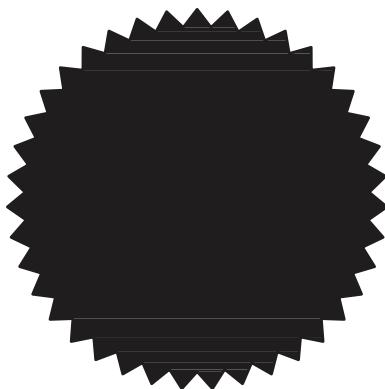
Worldwide Flight Services, Inc.
Room361 – B151, E. Hangar Road
Cargo Area A, JFK International Airport
Jamaica, NY 11430

Frontier Airlines
4545 Airport Way
Denver, CO 80239

Writ of Summons

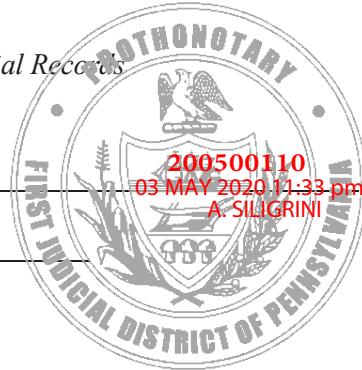
You are notified that the Plaintiff²
Usted esta avisado que el demandante
Estate of Aaron Jenkins

Has (have) commenced an action against you.
Ha (han) iniciado una accion en contra suya.



ERIC FEDER
Director, Office of Judicial Records

By: _____
Date: May 3, 2020



Court of Common Pleas

May _____ Term, 20 20 _____
No. _____

Estate of Aaron Jenkins
Plaintiff _____
vs.
City of Philadelphia,
Defendant _____

SUMMONS

Court of Common Pleas of Philadelphia County

Trial Division

Civil Cover Sheet

		For Prothonotary Use Only (Docket Number)		
		MAY 2020		
		E-Filing Number: 2005001574 000110		
PLAINTIFF'S NAME ESTATE OF AARON JENKINS	DEFENDANT'S NAME CITY OF PHILADELPHIA			
PLAINTIFF'S ADDRESS 1370 ANCHOR STREET PHILADELPHIA PA 19125	DEFENDANT'S ADDRESS 1515 ARCH STREET, 14TH FL PHILADELPHIA PA 19102			
PLAINTIFF'S NAME	DEFENDANT'S NAME PHILADELPHIA AIRPORT A/K/A PHILADELPHIA INTERNATIONAL AIRPOR			
PLAINTIFF'S ADDRESS	DEFENDANT'S ADDRESS 800 ESSINGTON AVENUE PHILADELPHIA PA 19153			
PLAINTIFF'S NAME	DEFENDANT'S NAME WORLDWIDE FLIGHT SERVICES			
PLAINTIFF'S ADDRESS	DEFENDANT'S ADDRESS ROOM 361 B151, E HANGAR ROAD CARGO AREA A, JFK INTERNATIONA AIRPORT JAMAICA NY 11430			
TOTAL NUMBER OF PLAINTIFFS 1	TOTAL NUMBER OF DEFENDANTS 4	COMMENCEMENT OF ACTION		
		<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition Action	<input type="checkbox"/> Notice of Appeal
		<input checked="" type="checkbox"/> Writ of Summons	<input type="checkbox"/> Transfer From Other Jurisdictions	
AMOUNT IN CONTROVERSY	COURT PROGRAMS			
<input type="checkbox"/> \$50,000.00 or less	<input type="checkbox"/> Arbitration	<input type="checkbox"/> Mass Tort	<input type="checkbox"/> Commerce	<input type="checkbox"/> Settlement
<input checked="" type="checkbox"/> More than \$50,000.00	<input checked="" type="checkbox"/> Jury	<input type="checkbox"/> Savings Action	<input type="checkbox"/> Minor Court Appeal	<input type="checkbox"/> Minors
	<input type="checkbox"/> Non-Jury	<input type="checkbox"/> Petition	<input type="checkbox"/> Statutory Appeals	<input type="checkbox"/> W/D/Survival
	<input type="checkbox"/> Other:			
CASE TYPE AND CODE 20 - PERSONAL INJURY - OTHER				
STATUTORY BASIS FOR CAUSE OF ACTION				
RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER) FILED PRO PROTHY MAY 03 2020 A. SILIGRINI			IS CASE SUBJECT TO COORDINATION ORDER? YES NO	
TO THE PROTHONOTARY: Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: <u>ESTATE OF AARON JENKINS</u> Papers may be served at the address set forth below.				
NAME OF PLAINTIFF/S/PETITIONER/S/APPELLANT'S ATTORNEY MUMIN ISLAM		ADDRESS 7433 LIMEKILN PIKE SUITE 210 PHILADELPHIA PA 19146		
PHONE NUMBER (215) 735-2357	FAX NUMBER (215) 735-2358			
SUPREME COURT IDENTIFICATION NO. 208979		E-MAIL ADDRESS mislam@mfilawgroup.com		
SIGNATURE OF FILING ATTORNEY OR PARTY MUMIN ISLAM		DATE SUBMITTED Sunday, May 03, 2020, 11:33 pm		

COMPLETE LIST OF DEFENDANTS:

1. CITY OF PHILADELPHIA
1515 ARCH STREET, 14TH FL
PHILADELPHIA PA 19102
2. PHILADELPHIA AIRPORT A/K/A PHILADELPHIA INTERNATIONAL AIRPOR
800 ESSINGTON AVENUE
PHILADELPHIA PA 19153
3. WORLDWIDE FLIGHT SERVICES
ROOM 361 B151, E HANGAR ROAD CARGO AREA A, JFK INTERNATIONA AIRPORT
JAMAICA NY 11430
4. FRONTIER AIRLINES
4545 AIRPORT WAY
DENVER CO 80239

EXHIBIT B

MFI Law Group, PLLC
 By: Mu'min Islam, Esquire
 Identification No.: 208979
 7433 Limekiln Pike, Ste. 210
 Philadelphia, PA, 19138
 Email: mislam@mfilawgroup.com
 Attorney for Plaintiff

PROTHONOTARY
 Filed and Attested by the
 Office of Judicial Records
 08 OCT 2020 11:41 pm
 E. MEENAN
 JUDICIAL DISTRICT OF PENNSYLVANIA

Tamara Pryor, As Administrator of the
 Estate of Aaron Jenkins
 1370 Anchor Street
 Philadelphia, PA 19125

: IN THE COURT OF COMMON PLEAS
 OF PHILADELPHIA COUNTY

Plaintiff,

: IN THE FIRST JUDICIAL DISTRICT
 OF PENNSYLVANIA

v.
 CITY OF PHILADELPHIA
 1515 Arch Street, 14th Floor
 Philadelphia, PA 19102
 and

: CIVIL ACTION -LAW

PHILADELPHIA AIRPORT
 a/k/a Philadelphia International Airport
 800 Essington Avenue
 Philadelphia, PA 19153
 and

: MAY TERM 2020

Worldwide Flight Services, Inc.
 Room361 – B151, E. Hangar Road
 Cargo Area A, JFK International Airport
 Jamaica, NY 11430
 and
 Frontier Airlines
 4545 Airport Way
 Denver, CO 80239

Defendants

NOTICE TO DEFEND

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Philadelphia Bar Association
 Lawyer Referral
 and Information Service
 One Reading Center
 Philadelphia, Pennsylvania 19107
 (215) 238-6333
 TTY (215) 451-6197

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentear una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las

provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

Lleve esta demanda a un abogado inmediatamente. Si no tiene abogado o si no tiene el dinero suficiente de pagar tal servicio. Vaya en persona o llame por telefono a la oficina cuya direccion se encuentra escrita abajo para averiguar donde se puede conseguir asistencia legal.

**Asociacion De Licenciados
De Filadelfia
Servicio De Referencia E
Informacion Legal**

MFI Law Group, PLLC
By: Mu'min Islam, Esquire
Identification No.: 208979
7433 Limekiln Pike, Ste. 210
Philadelphia, PA, 19138
Email: mislam@mfilawgroup.com
Attorney for Plaintiff

COMPLAINT

1. Tamara Pryor (“Plaintiff”) is an adult resident of Pennsylvania, residing at 1370 Anchor Street, Philadelphia, PA 19125.
2. On July 5, 2018 Plaintiff was duly qualified as Administrators of the Estate of Aaron Jenkins. Exhibit A – Philadelphia County Register of Wills Letters of Administration.

3. Aaron Jenkins (“Jenkins”) was pronounced on May 3, 2018 at Presbyterian Hospital from a stab wound.
4. Jenkins was a 28-year-old resident of Philadelphia County, residing at 126 West Roselyn Street, Philadelphia, PA 19120.
5. Plaintiff brings this suit as Administrator of the Estate of Aaron Jenkins, as personal representative of Aaron Jenkins. See Exhibit A.
6. Defendant, Worldwide Flight Services, (“WFS”) is a ground handling organization providing cargo, passenger, premium, ramp, baggage, and technical services across a network spanning over 179 locations in more than 22 countries on five continents. Having its principal place of business at Room361 – B151, E. Hangar Road, Cargo Area A, JFK International Airport, Jamaica, NY 11430.
7. Defendant, Frontier Airlines, Inc., (“Frontier”) is an American carrier headquartered in Denver, Colorado having its principal place of business at 4545 Airport Way, Denver, CO 80239.
8. Defendant, Philadelphia Airport, a/k/a Philadelphia International Airport, (“PHL”) is the primary airport serving Philadelphia, which is owned by the City of Philadelphia. Having its principal place of business at 800 Essington Avenue, Philadelphia, PA 19153.
9. Defendant, City of Philadelphia (“City”), having its principal place of business at 1515 Arch Street, 14th Floor, Philadelphia, PA 19102.
10. At all times relevant to this cause of action, WFS, Frontier, PHL, and City (collectively referred to as “Defendants”), engaged in business within the Commonwealth of Pennsylvania and the City and County of Philadelphia on a regular, systematic, continuous and substantial basis controlling the operations of the airport.

11. At all times relevant to this cause of action, Plaintiff was an employee of Frontier and WFS during his employment at PHL in the City of Philadelphia.
12. During Plaintiff's employment with Defendants, it was custom for other employees to enter Philadelphia International Airport, as well as the terminals, without going through security checks.
13. Due to Defendants' custom, airport employees bypassed security, and lack thereof, and were permitted to enter the airport and terminals with prohibited weapons.
14. Once inside Frontier's terminals, Defendants' employee, Kevin Emanuel, bypassed security with a knife and stabbed Plaintiff in his leg; resulting in Plaintiff's death.
15. During employment, employee Kevin Emanuel bullied and tormented the Plaintiff with no relief from Defendants.
16. After the stabbing, employees at PHL became more concerned for their safety.
17. Defendants' conduct caused the safety measures at PHL to decrease and put Plaintiff's safety, and the public's safety at stake who make up 30,000,000 (thirty million) visitors who utilize the airport's services annually.
18. Based on Defendants' conduct, they failed to ensure Jenkins' safety at his place of employment by; (1) failing to ensure there were security checkpoints for visitors at PHL; (2) failing to ensure there were security checkpoints for airport staff at PHL; (3) failing to investigate the lack of safety of the employees after Defendants were put on notice prohibited weapons were entering PHL; (4) failing to train and supervise employees on PHL security policies; and (5) failing to protect Jenkins from the injury he endured at Defendants' facility resulting in his death by his coworker.

COUNT I

U.S. CONST. 14th Amendment, §1

Tamara Pryor, as Administrator of The Estate of Aaron Jenkins v. Defendants

19. The foregoing paragraphs are incorporated herein by reference.
20. The Fourteenth Amendment of the Constitution provides as follows: nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws. All men are born equally free and independent, and have certain inherent and indefeasible rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing, and protecting property and reputation, and of pursuing their own happiness.
21. Plaintiff allege Defendants, jointly and/or severally, deprived Plaintiff of his Fourteenth Amendment Right.
22. Plaintiff Fourteenth Amendment rights were violated when he was assaulted at PHL. Plaintiff's injuries directly resulted from Defendants' violation of its own Rules and Regulations, and lack of security measures.
23. Defendants, at all times relevant hereto, had a duty to protect Plaintiff once Plaintiff entered on PHL grounds during his employment.
24. Defendants had a mutual agreement Frontier would, in and about the Airport and its Airline's Leased Premises, exercise reasonable control over the conduct, demeanor and appearance of its employees, agents and representatives, contractors, suppliers, vendors, service providers and officers in an orderly and proper manner so as not to harass, irritate, disturb or be offensive to the public and at all times act in accordance with the Rules and Regulations and Airport Security Program.
25. Defendants have deprived Plaintiff of his Fourteenth Amendment and/or statutory rights

by depriving Plaintiff of his right to liberty, enjoyment of life, and his right to be free from personal harm.

26. Defendants' formal and informal actions of not implementing security checks for its employees, overlooking reports made that airport employees were bringing prohibited weapons into the airport and/or not identifying why such security measures were not implemented reflect a policy, practice, or custom authorizing and allowing employees that violated the constitutional rights of the Plaintiff.
27. Consequently, Defendants are liable for harm caused to others, such as Plaintiff, as a result of its policies, practices, customs, and/or procedures.
28. The said breach of duty was the cause in fact and the proximate cause of the serious injuries sustained by Plaintiff, as aforesaid.

WHEREFORE, Plaintiff prays this Honorable Court to enter judgment in his favor, and against the Defendants, and award the following relief:

- a. Actual, special, compensatory, incidental, consequential, and punitive damages in an amount to be determined at trial;
- b. Cost of suit in an amount to be determined at trial; and,
- c. Such additional or further relief as the interest of justice may require

COUNT II
42 U.S.C. § 1983

Tamara Pryor, as Administrator of The Estate of Aaron Jenkins v. Defendants

29. The foregoing paragraphs are incorporated herein by reference.
30. The Civil Rights Act, codified as 42 U.S.C. § 1983, provides as follows: Every person who, under color of any statute, ordinance, regulation, custom or usage, of any state or territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United

States or any other person within the jurisdiction thereof to the deprivation of any laws, privileges or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress. 42 U.S.C. § 1983.

31. Defendants deprived Plaintiff of his constitutional right under state-created danger because it should have known, and it was foreseeable Plaintiff would be harmed by the co-employee's actions.
32. To successfully plead claim under “state-created danger” exception to general rule that substantive due process imposes no duty on states to protect their citizens from private harm, plaintiff must satisfy four elements: (1) harm ultimately caused was foreseeable and fairly direct; (2) state actor acted with degree of culpability that shocks conscience; (3) relationship between state and plaintiff existed such that plaintiff was foreseeable victim of defendant's acts, or member of discrete class of persons subjected to potential harm brought about by state's actions, as opposed to member of public in general; and (4) state actor affirmatively used his or her authority in way that created danger to citizen or that rendered citizen more vulnerable to danger than had state not acted at all.
33. Upon information and belief Defendants removed security measures for cost.
34. The State's affirmative conduct played a part in creating the danger and rendered Plaintiff more vulnerable to that danger.
35. Defendants' Rules and Regulations Manual, published under the authority contained in Sections 4-500(c) and 8-407 of the Philadelphia Home Rule Charter, empowers the Department of Commerce to make regulations governing the use and control of the Airport.
36. These Rules and Regulations explicitly state no person, except duly authorized, active,

police officers, federal employees authorized to carry firearms in the performance of their duties, or members of the armed forces of the United States on official duty shall possess, carry or discharge, ignite, or use any firearms, other weapons or explosives on the Airport.

37. At all times relevant to this cause of action, Kevin Emanuel was not authorized to possess any weapons on Defendants' property.
38. Defendants' policy and custom at issue is a failure to train and supervise its agents and employees.
39. Removing safety measure and violating Defendants' own policy
40. Its failure amounts to a deliberate indifference to the rights of Plaintiff with whom Defendants' employees will come into contact.
41. Plaintiff allege Defendants, jointly and/or severally, deprived Plaintiff of his United States Constitutional right.
42. Plaintiff constitutional rights were violated when he was assaulted at Defendants' terminal. Plaintiff's injuries directly resulted from Defendants' lack of security measures.
43. Defendants, at all times relevant hereto, had a duty to protect Plaintiff once Plaintiff entered onto the Defendants' premises during his employment.
44. Defendants' conduct of removing safety measures at an airport, especially due to cost, shocks the conscience because they were aware prohibited weapons were entering the facility.
45. Defendants had enough time to make an unhurried judgment regarding preventing prohibited weapons from entering the airport.
46. Defendants had a mutual agreement that Frontier and WFS would, in and about the Airport and its Airline's Leased Premises, exercise reasonable control over the conduct, demeanor

and appearance of its employees, agents and representatives, contractors, suppliers, vendors, service providers and officers in an orderly and proper manner so as not to harass, irritate, disturb or be offensive to the public and at all times act in accordance with the Rules and Regulations and Airport Security Program.

47. Defendants have deprived Plaintiff of his federal constitutional and/or statutory rights by depriving Plaintiff of his right to be free from physical harm.

48. Defendants' formal and informal actions of not implementing security checks for its employees, overlooking reports made that airport employees were bringing weapons into the airport and/or not identifying why such security measures were not implemented reflect a policy, practice, or custom authorizing and allowing employees that violated the constitutional rights of the Plaintiff. Consequently, Defendants are liable for harm caused to others, such as Plaintiff, as a result of its policies, practices, customs, and/or procedures.

49. The said breach of duty was the cause in fact and the proximate cause of the serious injuries and death sustained by Plaintiff, as aforesaid.

WHEREFORE, Plaintiff prays this Honorable Court to enter judgment in his favor, and against the Defendant, and award the following relief:

- a. Actual, special, compensatory, incidental, consequential, and punitive damages in an amount to be determined at trial;
- b. Cost of suit in an amount to be determined at trial; and,
- c. Such additional or further relief as the interest of justice may require.

COUNT III
Negligence

Tamara Pryor, as Administrator of The Estate of Aaron Jenkins v. Defendants

50. Plaintiff incorporates by reference herein all of the above paragraphs.

51. Jenkins was a business invitee on Defendants' property.
52. The standard of care a possessor of land owes to one who enters upon the land depends upon whether the latter is a trespasser, licensee, or invitee.
53. An "invitee" is either a public invitee or a business visitor.
54. A "business visitor" is a person who is invited to enter or remain on land for a purpose directly or indirectly connected with business dealings with the possessor of land.
55. The duty of care owed to a business invitee or business visitor is the highest duty owed to any entrant upon land; the landowner must protect the invitee not only against known dangers, but also against those which might be discovered with reasonable care.
56. A possessor of land is subject to liability for physical harm caused to his invitees by a condition on the land if, but only if, he: (1) knows or by the exercise of reasonable care would discover the condition, and should realize that it involves an unreasonable risk of harm to such invitees, (2) should expect that they will not discover or realize the danger, or will fail to protect themselves against it, and (3) fails to exercise reasonable care to protect them against the danger.
57. Defendant had a duty to act reasonable and use due care while Jenkins was an employee at PHL. Defendant breached that duty of due care and acted negligently and/or carelessly, and/or recklessly and/or in reckless disregard to Plaintiff by:
 - a. Failing to ensure that there were security checkpoints for visitors at PHL.
 - b. Failing to ensure that there were security checkpoints for airport staff at PHL.
 - c. Failing to investigate the safety of the employees after Defendants were put on notice that weapons were entering PHL.
 - d. Failing to supervise employees.

- e. Failing to protect Plaintiff from the injury he endured at Defendants' facility.

58. As a direct and proximate result of the negligence of Defendants, Plaintiff, was caused to suffer from the stab which led his death.

59. All of the above damages were directly and proximately caused by the aforementioned negligence of Defendants.

60. Under personal animus or third-party attack exception to Workers' Compensation Act's exclusivity provision, the exclusivity provision does not preclude damage recoveries by employee based upon employer negligence in maintaining safe workplace if such negligence is associated with injuries inflicted by coworker for purely personal reasons. 77 P.S. §§ 411(1), 481.

61. To set forth valid cause of action implicating personal animus or third-party attack exception to Workers' Compensation Act's exclusivity provision, employee must assert that his injuries are not work-related because he was injured by coworker for purely personal reasons. 77 P.S. §§ 411(1), 481.

62. A Showing of personal animus is not strictly required to implicate personal animus or third party attack exception to Workers' Compensation Act's exclusivity provision; rather, what is required is a showing that victim was attacked for purely personal reasons unrelated to employment. 77 P.S. §§ 411(1), 481.

63. There were claims that the employee who murdered Plaintiff had personal issues against Plaintiff, not work-related, and bullied Jenkins while employed on Defendants' premises.

WHEREFORE, the Plaintiff prays this Honorable Court to enter judgment in his favor, and against the Defendant, and award the following relief:

- a. Actual, special, compensatory, incidental, consequential, and punitive damages;

- b. Cost of suit and attorney's fees; and,
- c. Such additional or further relief as the interest of justice may require.

COUNT IV
Wrongful Death

Tamara Pryor, as Administrator of The Estate of Aaron Jenkins v. Defendants

- 64. All preceding paragraphs of this Complaint are incorporate herein by reference.
- 65. Plaintiff brings this action as the Administrator of the Estate of Aaron Jenkins, on behalf of those entitled by law to recover for his wrongful death, under and by virtue of 42 Pa. C.S.A. § 8301, et seq., commonly known as the Pennsylvania Wrongful Death Act.
- 66. No action for damages was brought by Jenkins during his lifetime as a result of the claims at issue in this case.
- 67. Plaintiff claims damages for the pecuniary loss suffered by Plaintiff's beneficiaries by reason of his death.
- 68. Plaintiff claims damages resulting from the deprivation of comfort, aid, assistance and society, and the loss of the guidance and tutelage to Jenkins's family due to his death.

WHEREFORE, the Plaintiff prays this Honorable Court to enter judgment in his favor, and against Defendants, and award the following relief:

- f. Actual, special, compensatory, incidental, consequential, and punitive damages;
- g. Cost of suit and attorney's fees; and,
- h. Such additional or further relief as the interest of justice may require.

COUNT V
SURVIVAL ACT

Tamara Pryor, as Administrator of The Estate of Aaron Jenkins v. Defendants

- 69. All preceding paragraphs of this Complaint are incorporated herein by reference.

70. Plaintiff also brings this action under and by virtue of 42 Pa. C.S.A. § 8302, et seq., commonly known as the Pennsylvania Survival Act.

71. The Estate of Aaron Jenkins claims damages for pain and suffering undergone by the decedent as of a result of the Defendant's negligence, up to and including the time of death, and damages for the net amount that Jenkins would have earned from the date of his death to the end of his life expectancy.

WHEREFORE, the Plaintiff prays this Honorable Court to enter judgment in his favor, and against the Defendant, and award the following relief:

- i. Actual, special, compensatory, incidental, consequential, and punitive damages;
- j. Cost of suit and attorney's fees; and,
- k. Such additional or further relief as the interest of justice may require.

MFI LAW GROUP, PLLC

Mu'min F. Islam, Esquire
7433 Limekiln Pike, Ste. 210
Philadelphia, PA, 19138

Attorney for Plaintiff

By: 

Email: mislam@mfilawgroup.com

MFI Law Group, PLLC
By: Mu'min Islam, Esquire
Identification No.: 208979
7433 Limekiln Pike, Ste. 210
Philadelphia, PA, 19138
Email: mislam@mfilawgroup.com
Attorney for Plaintiff

Tamara Pryor, As Administrator of the Estate of Aaron Jenkins 1370 Anchor Street Philadelphia, PA 19125	: IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
<i>Plaintiff,</i>	: IN THE FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
v. CITY OF PHILADELPHIA 1515 Arch Street, 14th Floor Philadelphia, PA 19102	: CIVIL ACTION -LAW
and	: MAY TERM 2020
PHILADELPHIA AIRPORT a/k/a Philadelphia International Airport 800 Essington Avenue Philadelphia, PA 19153	: and
Worldwide Flight Services, Inc. Room361 – B151, E. Hangar Road Cargo Area A, JFK International Airport Jamaica, NY 11430	: and
Frontier Airlines 4545 Airport Way Denver, CO 80239	: <i>Defendants</i>

VERIFICATION

The averments or denials of facts contained in the foregoing are true and correct to the best of my knowledge, information, and belief. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsification to authorities.

Respectfully,
MFI Law Group, PLLC

BY: 
Mu'min F. Islam, Esq.
Attorney for Plaintiff, Aaron Jenkins

Date: August 21, 2020

MFI Law Group, PLLC
 By: Mu'min Islam, Esquire
 Identification No.: 208979
 7433 Limekiln Pike, Ste. 210
 Philadelphia, PA, 19138
 Email: mislam@mfilawgroup.com
 Attorney for Plaintiff

	: IN THE COURT OF COMMON PLEAS
Tamara Pryor, As Administrator of the	: OF PHILADELPHIA COUNTY
Estate of Aaron Jenkins	: :
1370 Anchor Street	: IN THE FIRST JUDICIAL DISTRICT
Philadelphia, PA 19125	: OF PENNSYLVANIA
<i>Plaintiff,</i>	: :
	: CIVIL ACTION -LAW
	: :
v.	: :
CITY OF PHILADELPHIA	: MAY TERM 2020
1515 Arch Street, 14th Floor	: :
Philadelphia, PA 19102	: :
and	: :
PHILADELPHIA AIRPORT	: :
a/k/a Philadelphia International Airport	: :
800 Essington Avenue	: :
Philadelphia, PA 19153	: :
and	: :
Worldwide Flight Services, Inc.	: :
Room361 – B151, E. Hangar Road	: :
Cargo Area A, JFK International Airport	: :
Jamaica, NY 11430	: :
and	: :
Frontier Airlines	: :
4545 Airport Way	: :
Denver, CO 80239	: :
<i>Defendants</i>	: :

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the Plaintiff's Complaint was filed and served to:

City of Philadelphia
 1515 Arch Street, 14th Floor
 Philadelphia, PA 19102

PHILADELPHIA AIRPORT
 a/k/a Philadelphia International Airport
 800 Essington Avenue

Philadelphia, PA 19153

Worldwide Flight Services, Inc.
Room361 – B151, E. Hangar Road
Cargo Area A, JFK International Airport
Jamaica, NY 11430

Frontier Airlines
4545 Airport Way
Denver, CO 80239

Respectfully,
MFI Law Group, PLLC

BY: 

Mu'min F. Islam, Esq.
Attorney for Plaintiff, Aaron Jenkins

Date: August 21, 2020

Exhibit A

RENUNCIATION

REGISTER OF WILLS

PHILADELPHIA COUNTY, PENNSYLVANIA

Estate of Aaron Jenkins, Deceased

The undersigned, Tamara Pryor
(Name or Corporate Name)
Beneficiary of the above Decedent, hereby renounces the right to administer
the Estate of the Decedent and, to the extent permitted by law pursuant to 20 Pa.C.S. § 3155, respectfully
requests that Letters be issued to Keisha Brown.

July 5, 2018
(Date)

Name of Corporate Fiduciary (if applicable)

Signature of Officer/Representative

Title of Officer/Representative

Address

Telephone

Email

Executed in Register's Office

Sworn to or affirmed and subscribed
before me this _____ day
of _____, _____.

Deputy for Register of Wills

Form RW-06 eff. 09.01.16

Tamara Pryor
Signature of Person

1370 Anchor Street

Address

Philadelphia PA 19125

267-912-2873

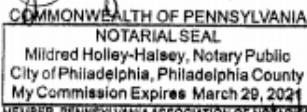
Telephone

timonova23@icloud.com

Email

Executed out of Register's Office

Before the undersigned personally appeared the
party executing this Renunciation and certified
that he or she executed the Renunciation for the
purposes stated within on this 5th day
of July 2018.



Mildred Holley-Halsey
Notary Public

My Commission Expires:

(Signature and Seal of Notary or other official qualified to
administer oaths. Show date of expiration of Notary's Commission.)

EXHIBIT C



A \$5 Convenience fee will be added to the transaction at checkout.

Case Description**Case ID:** 200500110**Case Caption:** ESTATE OF AARON JENKINS VS CITY OF PHILADELPHIA ET**Filing Date:** Sunday , May 03rd, 2020**Court:** MAJOR JURY-STANDARD**Location:** City Hall**Jury:** JURY**Case Type:** PERSONAL INJURY - OTHER**Status:** LISTED FOR CASE MGMT CONF**Related Cases***No related cases were found.***Case Event Schedule**

Event	Date/Time	Room	Location	Judge
CASE MANAGEMENT CONFERENCE	09-NOV-2020 09:00 AM	City Hall	Case Management Center, Rm 613	<i>unassigned</i>

Case motions*No case motions were found.***Case Parties**

Seq #	Assoc	Expn Date	Type	Name
1			ATTORNEY FOR PLAINTIFF	ISLAM, MUMIN
Address:	7433 LIMEKILN PIKE SUITE 210 PHILADELPHIA PA 19146 (215)735-2357 mislam@mfilaingroup.com	Aliases:	<i>none</i>	

2	1	PLAINTIFF	JENKINS ESTATE OF, AARON
Address:	1370 ANCHOR STREET PHILADELPHIA PA 19125	Aliases:	<i>none</i>
3	7	DEFENDANT	CITY OF PHILADELPHIA
Address:	1515 ARCH STREET, 14TH FL PHILADELPHIA PA 19102	Aliases:	<i>none</i>
4	7	DEFENDANT	PHILADELPHIA AIRPORT A/K/A PHILADELPHIA INTERNATIONAL AIRPOR
Address:	800 ESSINGTON AVENUE PHILADELPHIA PA 19153	Aliases:	<i>none</i>
5	9	DEFENDANT	WORLDWIDE FLIGHT SERVICES
Address:	ROOM 361 B151, E HANGAR ROAD CARGO AREA A, JFK INTERNATIONA AIRPORT JAMAICA NY 11430	Aliases:	<i>none</i>
6		DEFENDANT	FRONTIER AIRLINES
Address:	4545 AIRPORT WAY DENVER CO 80239	Aliases:	<i>none</i>
7		ATTORNEY FOR DEFENDANT	TURNER ESQ, MICHELE E
Address:	BENNETT BRICKLIN SALTZBURG LLC CENTRE SQUARE - WEST TOWER	Aliases:	<i>none</i>

	1500 MARKET ST., 32ND FL PHILADELPHIA PA 19102 (215)665-3344 mturner@bbs-law.com			
8			TEAM LEADER	NEW, ARNOLD L
Address:	606 CITY HALL PHILADELPHIA PA 19107 (215)686-7260	Aliases:	<i>none</i>	
9			ATTORNEY FOR DEFENDANT	BUCHHOLZ, KRISTI A
Address:	WILSON ELSER MOSKOWITZ EDELMAN & DICKER - TWO COMMERCE SQUARE 2001 MARKET ST., SUITE 3100 PHILADELPHIA PA 19103 (215)627-6900 kristi.buchholz@wilsonelser.com	Aliases:	<i>none</i>	
10	9		ATTORNEY FOR DEFENDANT	TAYLOR JR JR, WILLIAM J
Address:	2001 MARKET STREET TWO COMMERCE SQUARE SUITE 3100 PHILADELPHIA PA 19103 (215)627-6900 william.taylor@wilsonelser.com	Aliases:	<i>none</i>	

Docket Entries

Filing Date/Time	Docket Type	Filing Party	Disposition Amount	Approval/Entry Date
03-MAY-2020 11:33 PM	ACTIVE CASE			04-MAY-2020 08:55 AM
Docket Entry:	E-Filing Number: 2005001574			

03-MAY-2020 11:33 PM	COMMENCEMENT CIVIL ACTION JURY	ISLAM, MUMIN		04-MAY-2020 08:55 AM
Documents:	Final Cover			
Docket Entry:	none.			
03-MAY-2020 11:33 PM	PRAE TO ISSUE WRIT OF SUMMONS	ISLAM, MUMIN		04-MAY-2020 08:55 AM
Documents:	Writ of Summons [Final].pdf			
Docket Entry:	PRAECIPE TO ISSUE WRIT OF SUMMONS FILED. WRIT OF SUMMONS ISSUED.			
03-MAY-2020 11:33 PM	JURY TRIAL PERFECTED	ISLAM, MUMIN		04-MAY-2020 08:55 AM
Docket Entry:	8 JURORS REQUESTED.			
03-MAY-2020 11:33 PM	WAITING TO LIST CASE MGMT CONF	ISLAM, MUMIN		04-MAY-2020 08:55 AM
Docket Entry:	none.			
07-MAY-2020 01:46 PM	ENTRY OF APPEARANCE	TURNER ESQ, MICHELE E		08-MAY-2020 09:02 AM
Documents:	Jenkins - EOA and JTD (COP) MET.pdf			
Docket Entry:	ENTRY OF APPEARANCE OF MICHELE E TURNER FILED. (FILED ON BEHALF OF PHILADELPHIA AIRPORT A/K/A PHILADELPHIA INTERNATIONAL AIRPOR AND CITY OF PHILADELPHIA)			
07-MAY-2020 01:46 PM	JURY TRIAL PERFECTED	TURNER ESQ, MICHELE E		08-MAY-2020 09:02 AM
Docket Entry:	12 JURORS REQUESTED.			

20-MAY-2020 04:58 PM	ENTRY OF APPEARANCE	BUCHHOLZ, KRISTI A		21-MAY-2020 07:13 AM
Documents:	07110.00303 - Praecipe for Appearance by W. Taylor, Jr. and K. Buchholz on Behalf of Worldwide Flight Services.pdf			
Docket Entry:	ENTRY OF APPEARANCE OF KRISTI A BUCHHOLZ AND WILLIAM J TAYLOR JR FILED. (FILED ON BEHALF OF WORLDWIDE FLIGHT SERVICES)			
28-JUL-2020 11:34 AM	CERTIFICATION FILED	BUCHHOLZ, KRISTI A		28-JUL-2020 11:34 AM
Documents:	07110.00303 - Certificate Prerequisite for Service of Subpoena - PPD.pdf			
Docket Entry:	CERTIFICATE PREREQUISITE TO SERVICE OF SUBPOENAS PURSUANT TO RULE 4009.22 FILED. (FILED ON BEHALF OF WORLDWIDE FLIGHT SERVICES)			
22-SEP-2020 04:04 PM	LISTED FOR CASE MGMT CONF			22-SEP-2020 04:04 PM
Docket Entry:	<i>none.</i>			
24-SEP-2020 12:30 AM	NOTICE GIVEN			24-SEP-2020 12:30 AM
Docket Entry:	<i>none.</i>			
08-OCT-2020 04:40 PM	CASE RESCHEDULED BY COURT	ORVIK, ERIK		08-OCT-2020 04:41 PM
Docket Entry:	APL. TO FILE COMPLAINT AND PROVIDE PROOF OF SERVICE.			
08-OCT-2020 04:41 PM	LISTED FOR CASE MGMT CONF			08-OCT-2020 04:41 PM
Docket Entry:	<i>none.</i>			
08-OCT-2020 04:41 PM	NOTICE GIVEN			08-OCT-2020 04:41 PM
Documents:	NOTGV_14.pdf			

	THE CASE MANAGEMENT CONFERENCE FOR THE ABOVE CAPTIONED MATTER HAS BEEN RESCHEDULED FOR Monday, November 09, 2020, AT 09:00 AM, IN Case Management Center, Rm 613, CITY HALL. NO FURTHER CONTINUANCES WILL BE GRANTED ABSENT EXIGENT CIRCUMSTANCES. COUNSEL FOR PLAINTIFF IS DIRECTED TO SERVE A COPY OF THIS NOTICE ON ANY UNREPRESENTED PARTY AND ANY ATTORNEY ENTERING AN APPEARANCE SUBSEQUENT TO THE ISSUANCE OF THIS NOTICE. COUNSEL MUST BE PREPARED TO ADDRESS ALL RELEVANT ISSUES. IF THE CASE SETTLED PRIOR TO THE CONFERENCE, ELECTRONICALLY FILE A SETTLEMENT LETTER. TO FILE THE LETTER ELECTRONICALLY, ACCESS THE "EXISTING CASE" SECTION OF THE COURT'S ELECTRONIC FILING SYSTEM. SELECT "CONFERENCE SUBMISSIONS" AS THE FILING CATEGORY. SELECT "SETTLEMENT LETTER" AS THE DOCUMENT TYPE. QUESTIONS CONCERNING THIS NOTICE AND ITS CONTENTS SHALL BE REFERRED TO 215-686-3710.			
08-OCT-2020 04:41 PM	NOTICE GIVEN UNDER RULE 236			09-OCT-2020 02:19 PM
Docket Entry:	NOTICE GIVEN ON 09-OCT-2020 OF NOTICE GIVEN ENTERED ON 08-OCT-2020.			
08-OCT-2020 11:41 PM	COMPLAINT FILED NOTICE GIVEN	ISLAM, MUMIN		09-OCT-2020 08:36 AM
Documents:	A. Jenkins Complaint.pdf			
Docket Entry:	COMPLAINT WITH NOTICE TO DEFEND WITHIN TWENTY (20) DAYS AFTER SERVICE IN ACCORDANCE WITH RULE 1018.1 FILED. (FILED ON BEHALF OF AARON JENKINS ESTATE OF)			
10-OCT-2020 12:30 AM	NOTICE GIVEN			10-OCT-2020 12:30 AM
Docket Entry:	none.			
03-NOV-2020 02:52 PM	PRAECIPE TO REINSTATE CMPLT	ISLAM, MUMIN		04-NOV-2020 10:36 AM
Documents:	A. Jenkins Complaint [Final].pdf PraecipetoReinstateComplaint.pdf			

Docket	COMPLAINT WITH NOTICE TO DEFEND WITHIN TWENTY (20) DAYS
Entry:	AFTER SERVICE IN ACCORDANCE WITH RULE 1018.1 REINSTATED.
	(FILED ON BEHALF OF AARON JENKINS ESTATE OF)

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